overcome and should be withdrawn.

Claims 1 and 12 were objected to because it was unclear where the graduation was located. It is believed that the reference to claim 12 should be to claim 17. Claims 1 and 17 have been amended so as to clarify that the rotor includes a graduation. Accordingly, the objection has been overcome and should be withdrawn.

Please note that the amendments made to claims 1 and 17 are being made to clarify Applicant's invention and are not being presented for reasons of patentability as defined in Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000).

Claim 12 was objected to because there was no antecedent basis in the specification for the clamping force of the coupler fastening the coupler to the stator. It is believed that the reference to claim 12 should be to claim 17. Applicant traverses this objection. Applicant's specification at page 8, lines 27-29 does provide antecedent basis for the clause in question. Accordingly, the objection is improper and should be withdrawn.

B. 35 U.S.C. § 102(b)

Claims 1, 2, 4-6, 8-11, 13-15, 17, 19 and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Feichtinger et al. Applicant traverses this rejection. Independent claims 1, 17, 19 and 20 each recites a contact face that extends transversely

to an axis of a rotor and engages a contact face of a coupler. In contrast, Feichtinger et al. discloses circumferential faces 8a, 8b, 9a, 9b of the coupling 2 that extend parallel with the axis of rotation. Since Feichtinger et al. does not disclose all of the recited elements of claims 1, 17, 19 and 20, claims 1, 17, 19 and 20 and their dependent claims are not anticipated by Feichtinger et al.

The rejection of claims 19 and 20 is improper for the additional reason that Feichtinger et al. does not disclose axially moving a measuring device to cause clamping of a coupler to a stationary object. Instead, Feichtinger et al. discloses clamping via faces 8a, 8b, 9a, 9b without the need for axial movement.

Besides not being anticipated by Feichtinger et al., the claims are not rendered obvious by Feichtinger et al. since there is no suggestion in Feichtinger et al. or the prior art to alter the device of Feichtinger et al. so that Feichtinger et al.'s faces extend transversely to the rotor's axis of rotation or axially moving a measuring device to cause clamping of a coupler to a stationary object.

C. Claims 3, 7, 12, 16 and 18

Applicant notes with appreciation that claims 3, 7, 12, 16 and 18 have been indicated to contain allowable subject matter. Claims 3, 16 and 18 have been amended so as to be in independent form. Since the claims have been amended to overcome the objections mentioned above in Section A, claims 3, 7, 12, 16 and 18 should be allowed in

the next Office Action.

Please note that the amendments made to claims 3, 16 and 18 are being made to incorporate subject matter that is already contained within the claims and to amend the claim so as to overcome the objections to claims 1 and 17 mentioned above in Section A and so are not being presented for reasons of patentability as defined in Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000).

D. New Claims 21 and 22

New claims 21 and 22 depend directly on claims 1 and 17, respectively. Accordingly, the claims are patentable for at least the same reasons given above in Section B.

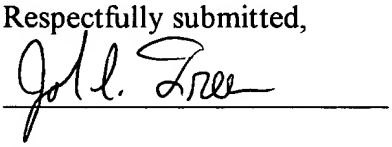
Claims 21 and 22 are patentable for the additional reason that Feichtinger et al. does not disclose or suggest that the clamping force is generated by axial displacement of the stator.

Please note that new claims 21 and 22 are being presented to provide additional coverage for an angle measuring device. Accordingly, the new claims are not being presented for reasons of patentability as defined in Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000).

CONCLUSION

In view of the arguments above, Applicant respectfully submits that all of the pending claims 1-22 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,



John C. Freeman
Registration No. 34,483
Attorney for Applicants

BRINKS HOFER
GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200
Dated: October 15, 2002

Marked Up Version of Amended Claims

1. (Amended) An angle measuring device for measuring an angular position of a stationary object with respect to an object which is rotatable around an axis of rotation, comprising:

a rotor comprising a graduation, which is connected to said rotatable object, which rotates about an axis of rotation;

a stator comprising a scanning unit for scanning [a] said graduation, which [moves] rotates in relation to said scanning unit;

a coupler fastened to said [stationary object] stator so as to seat said stator on said stationary object that comprises a contact face which extends transversely with respect to said axis of rotation, wherein said coupler comprises a contact face that extends transversely with respect to said axis of rotation and engages said [clamping] contact face of said stationary object so that a clamping force is generated so as to fasten said coupler to said stationary object and wherein said coupler is fixed against relative rotation, but is radially and/or axially elastic.

3. (Amended) An angle measuring device for measuring an angular position of a stationary object with respect to an object which is rotatable around an axis

of rotation, comprising:

a rotor comprising a graduation, which is connected to said rotatable object, which rotates about an axis of rotation;

a stator comprising a scanning unit for scanning said graduation, which moves in relation to said scanning unit;

a coupler fastened to said stator by being clamped against a circumferential face of said stationary object so as to seat said stator on said stationary object that comprises a contact face which extends transversely with respect to said axis of rotation, wherein said coupler comprises a contact face that extends transversely with respect to said axis of rotation and engages said contact face of said stationary object so that a clamping force is generated so as to fasten said coupler to said stationary object and wherein said coupler is fixed against relative rotation, but is radially and/or axially elastic [The angular measuring device in accordance with claim 2], wherein said coupler comprises an area which is radially spread against an inner face and an outer face of said stationary object.

16. (Amended) An angle measuring device for measuring an angular position of a stationary object with respect to an object which is rotatable around an axis of rotation, comprising:

a rotor comprising a graduation, which is connected to said rotatable object, which rotates about an axis of rotation;

a stator comprising a scanning unit for scanning said graduation, which moves in relation to said scanning unit;

a coupler fastened to said stator so as to seat said stator on said stationary object that comprises a contact face which extends transversely with respect to said axis of rotation, wherein said coupler comprises a contact face that extends transversely with respect to said axis of rotation and engages said contact face of said stationary object so that a clamping force is generated so as to fasten said coupler to said stationary object and wherein said coupler is fixed against relative rotation, but is radially and/or axially elastic; and

[The angular measuring device in accordance with claim 1,] wherein said rotor is connected with said rotating object by an axially extending screw, and said clamping force takes place by axial displacement of said screw.

17. (Amended) An angle measuring device for measuring an angular position of a stationary object with respect to an object which is rotatable around an axis of rotation, comprising:

a rotor comprising a graduation, said rotor [which] is connected to said

rotatable object which rotates about an axis of rotation;

a stator comprising a scanning unit for scanning [a] said graduation, which [moves] rotates in relation to said scanning unit;

a coupler fastened to said stationary object [stator] so as to seat said stator on said [stationary object] coupler that comprises a contact face which extends transversely with respect to said axis of rotation, wherein said [coupler] stator comprises a contact face that extends transversely with respect to said axis of rotation and engages said [clamping] contact face of said [stationary object] coupler so that a clamping force is generated so as to fasten said [coupler] stator to said [stator] coupler and wherein said coupler is fixed against relative rotation, but is radially and/or axially elastic.

18. (Amended) An angle measuring device for measuring an angular position of a stationary object with respect to an object which is rotatable around an axis of rotation, comprising:

a rotor comprising a graduation, said rotor is connected to said rotatable object which rotates about an axis of rotation;

a stator comprising a scanning unit for scanning said graduation, which moves in relation to said scanning unit;

a coupler fastened to said stationary object so as to seat said stator on said

coupler that comprises a contact face which extends transversely with respect to said axis of rotation, wherein said stator comprises a contact face that extends transversely with respect to said axis of rotation and engages said contact face of said coupler so that a clamping force is generated so as to fasten said stator to said coupler and wherein said coupler is fixed against relative rotation, but is radially and/or axially elastic; and

[The angular measuring device in accordance with claim 17,] wherein said rotor is connected with said rotating object by an axially extending screw, and said clamping force takes place by axial displacement of said screw.